IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 31329 of 2006(D)

PETITIONER:

HUTCHISON ESSAR CELLULAR LIMITED,
XL-5115, ASHIS BUILDING,
SHANMUGAM ROAD, COCHIN-682 031,
REP. BY ITS MANAGER, LEGAL, RAJESH MELETH VEETTIL.

BY ADV. SRI.ANTONY DOMINIC
SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY ITS CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REVENUE DIVISIONAL OFFICER,
TRICHUR.

3. THE TAHSILDAR,
KODUNGALLUR.

4. NASSAR, S/O.PUNNILATH KUNHIMUHAMMED,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

5. SURESH, S/O.KANNAN,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

6. MAJEED, S/O.ABDUL HAMEED,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

7. KAREEM, S/O.ERAMANGALATH AMMU,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

8. HAMEED, S/O.KOCHUMUHAMMED,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

9. BABU, S/O.KAREEM,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

10. BALAN, S/O.NELLIPARAMBIL VELAPPAN NAIR,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

11. SIDDIQUE, PUNNILATHU ABDUL HAMEED,
KODUNGALLUR TALUK, S.N.PURAM VILLAGE,
P.VEMBALLUR VEKKOD DESOM.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.31329 of 2006-D

Dated this the 14th day of December, 2006

JUDGMENT

The petitioner is constructing a telecommunication tower in Sy.No.20/17 and 20/18 of Sree Narayana Puram Village, Kodungallur Taluk. On the basis of the petitions filed by the local peopl, the second respondent has passed an order restraining the petitioner from continuing the construction of tower. Hence, this original petition challenging Ext.P2 and seeking consequential reliefs. The learned counsel for the petitioner also submitted that both sides were heard on 27-9-2006.

2. Heard the learned Government Pleader for respondents 1 to 3. I feel that it is not necessary to issue notice to the other respondents having regard to the nature of the order I proposes to pass.

3. The second respondent is directed to pass final orders in the proceedings, if so far, no order has been passed, as expeditiously as possible at any rate within one month from the date of production of a copy of this judgment.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,JUDGE.

MS